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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Sonya Franklin
Title: ARTIFICIAL ENDONUCLEASE

Docket No.: 875.037US1
Filed: February 16, 2001
Examiner: Unknown

Serial No.: 09/785,546
Due Date: N/A
Group Art Unit: 1653

Commissioner for Patents
Washington, D.C. 20231

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ An Information Disclosure Statement (1 pgs.), Form 1449 (5 pgs.), and copies of 46 cited references.
- ☒ A Communication (1 pgs.).

Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:
Atty: Janet E. Embretson
Reg. No. 39,665

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 14th day of January, 2002.

Alisia G. Dunbar

Name

Signature

Customer Number 21186

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)

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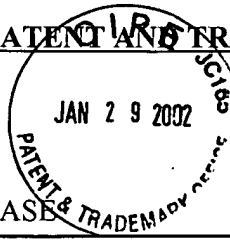
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PATENT

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COMMUNICATION

Commissioner for Patents
Washington, D.C. 20231

On Forms 1449 which accompany this Communication, Applicant's Representatives have provided the Examiner with a copy of a research proposal entitled "DNA Binding by a New Motif: Transformation of EF-Hands to HTH Motifs". The research proposal was one of three proposals that were part of a packet of application materials sent by Dr. Sonya J. Franklin, the named inventor of the above-identified application, to prospective employers in response to advertisements for faculty positions which requested those research proposals. It is Dr. Franklin's understanding that the research proposals were only distributed confidentially to, and would be discussed privately with Dr. Franklin by, faculty who would vote on whether or not to offer her employment.

Thus, it is Applicant's Representatives position that there was insufficient accessibility of the above-referred to research proposal to the interested public to render the proposal a publication. Therefore, it is Applicant's Representatives position that the research proposal is not a "printed publication" under 35 U.S.C. § 102(b).

The Examiner is invited to contact the Applicant's Representatives at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

SONYA FRANKLIN,

By her Representatives,
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6959

Date

January 11, 2002

By

Janet E. Embretson
Reg. No. 39,665

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Name

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Alisia G. Dunbar